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Sen. Johnson introduces 'notification of data theft' legislation
Concerns raised by ChoicePoint investigation garner quick legislative response

LANSING – Legislation requiring companies to notify Michigan residents when their personal, credit or medical information has been stolen or misused was introduced in the Michigan State Senate, announced state Sen. Shirley Johnson.

“Due to advancements in technology and recent events, this legislation is timely and important,” said Johnson, R-Troy. “In order to better protect Michigan residents from fraud resulting from the theft and/or misuse of their personal identification information.”

Proposed by Johnson, Senate Bill 309 would require companies such to notify Michigan residents when their personal, credit and medical information has been stolen or misused.

Last month ChoicePoint, a national data aggregating company, announced that the personal information of 145,000 United States residents was stolen in October, 2004. The company maintains and sells background files which are generated from information gleaned from public and private records.

Currently, California is the only state with a law that requires companies to notify affected individuals when their information is stolen or used for fraudulent purposes.

Johnson has been working with Attorney General Mike Cox’s office to develop similar legislation to protect Michigan residents.

“Last year, my colleagues and I created the Identity Theft Protection Act in order to better safeguard Michigan residents,” Johnson said. “This legislation would increase those protections by requiring companies to notify you when your records are stolen or misused so that you have a chance to take action to protect yourself.”

Failure to notify an affected individual would be a violation of the Identity Theft Protection Act, which carries a maximum 30 days of imprisonment and \$1,000 fine per violation.

Johnson is also working on a legislative resolution calling upon congress to take federal action to more tightly regulate the use and dissemination of personal and confidential information, nationally.

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